

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

## ORDER ON MOTION

In reviewing the Complaint (Doc. #1, #5) as amended, and Defendants' motion for summary Judgment the Court observes Plaintiff's statement: "McCarley challenged this statute *many times* in lower court and defendant has never acknowledged, rebutted or defended or satisfied their (*sic*) obligation under this federal statute." Compl. (Doc. #1) at 3 (emphasis added). The immediate preceding sentence alleges Defendant without specification "violated the 60[-]day allowance of 12 U[.]S[.]C[.] § 2605, which allows creditors 60 days to correct billing problems." *Id.* Section 2605 of Title 12 contains the Real Estate Settlement Procedures Act (RESPA). Plaintiff also alleges violations of RESPA in the current action. It is therefore

ORDERED that Plaintiff shall file a supplemental filing only identifying the commencement dates of all law suits in which he previously asserted a RESPA claim and/or brought suit against the remaining Defendants. The filing shall also contain a

written copy of all decisions, opinions, or judgments entered in those cases. Plaintiff

shall submit the filing **on or before November 13, 2007**. It is further

ORDERED that Plaintiff's motion (Doc. #94) for an oral argument on Defendants' motion for summary judgment is GRANTED. The parties shall appear on November 28, 2007, at 10:30 a.m. in Courtroom 5A, Frank M. Johnson, Jr. United States Courthouse, Montgomery, Alabama before the undersigned Magistrate Judge. It is further

ORDERED that the Clerk of Court shall overnight mail this order to Plaintiff.

DONE this 5th day of November, 2007.

/s/ Wallace Capel, Jr.  
WALLACE CAPEL, JR.  
UNITED STATES MAGISTRATE JUDGE